

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-125

REISSUING NPDES PERMITS FOR THE DISCHARGES
CITED HEREIN

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds that:

1. The parties listed below, hereinafter called the dischargers, have previously been issued permits by this Board under the National Pollutant Discharge Elimination System (NPDES) in the Orders indicated:

<u>Discharger</u>	<u>NPDES No.</u>	<u>Order No.</u>	<u>Expires</u>
A. Chevron USA, Richmond Refinery, Richmond, Contra Costa County	CA0005134	78-18	18 November 1979
B. Union Oil Company of California San Francisco Refinery, Rodeo, Contra Costa County	CA0005053	74-152 77-148	18 November 1979
C. Mountain View Sanitary District, Contra Costa County	CA0037770	74-134 77-96 78-94	1 November 1979

2. The said dischargers have submitted applications for reissuance of their NPDES Permits, and paid the filing fees appropriate for such reissuance.
3. The Environmental Protection Agency (EPA) amended its NPDES regulations, effective on 13 August 1979. That amendment, among other things, requires that effluent limitations for industrial plants **subject to** the EPA guidelines be based upon actual production rates rather than design rates. That regulation affects Chevron USA, and the Union Oil Company of California.
4. Chevron USA, and the Union Oil Company of California are aware of the amended regulation and have indicated that they will file their production data soon.
5. The Chevron USA and the Union Oil Company of California production data were not available on 6 September 1979. This prevented submitting a tentative order containing effluent limitations conforming with the new regulations to interested entities in time for their review before the Board's meeting scheduled for 16 October 1979. It is, therefore, appropriate to reissue the Chevron and Union Oil NPDES Permits with minor amendments for a limited period.

6. Mountain View Sanitary District is performing studies to establish whether or not its marsh enhancement program fulfills the Board's Marsh Policy. The staffs of the District and the Board are reviewing specifications for completing the study. It is desirable that this matter be more fully resolved before conditions of the reissued Permit are defined. It is therefore, appropriate to reissue the Mountain View Sanitary District Permit as it now exists for a limited period.
7. The waste discharges regulated by these NPDES Permits are essentially unchanged since the Board issued them. They contain effluent and receiving water limitations and provisions which are still appropriate, except as discussed above.
8. These projects involve the continued operation of privately and publicly-owned facilities with negligible or no expansion of use beyond that previously existing. Consequently, these projects will not have a significant effect upon the environment, based upon the exemption provided in Section 15101, Title 14, California **Administrative Code.**
9. The Board has notified the dischargers and interested agencies and persons of its intent to prescribe waste discharge requirements for the proposed discharges and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
10. The Board, in a public meeting, heard and considered all comments pertaining to the discharges.

IT IS HEREBY ORDERED, pursuant to the provisions contained in Division 7 of the California Water Code and the Federal Clean Water Act and regulations and guidelines adopted thereunder that:

1. The NPDES permits as contained in the Orders cited in Finding 1 of this Order are hereby reissued.
2. The expiration dates contained in said Orders shall henceforth read: 31 March 1980.
3. The Permits reissued to Chevron USA and to Union Oil Company of California may be modified, or, alternatively, revoked and reissued, to comply with any applicable effluent limitation issued pursuant to the order the United States District Court for the District of Columbia issued on June 3, 1976, in Natural Resources Defense Council, Inc. et. al. v. Russell E. Train, 8 ERC 2120 (D.D.C. 1976), if the effluent limitation so issued:
 - A. is different in conditions or more stringent than any effluent limitation in the permit; or
 - B. controls any pollutant not limited in the permit.

4. The following Provisions of Order 78-18 (Chevron USA) are amended to read:

a. Provision C.2:

"Discharge of Waste 001 at any place where it does not receive a minimum initial dilution of at least 10:1 is prohibited after December 31, 1983, or three years following the cessation of discharge to Castro Cove of the San Pablo Sanitary District effluent, whichever is later, unless the discharger can show justification for an exception from the Basin Plan Prohibition stated in Finding 3 above."

b. The first sentence of Provision D.5:

"An exception to Discharge Prohibition C.1 and C.2 will be considered if the discharger can meet the conditions listed in Finding 4 of this Order."

c. The first sentence of Provision D.6:

"The discharger shall comply with Prohibition C.1 and C.2 and Provision D.5 according to the following schedule:"

5. This Board intends to amend the Permits reissued to Chevron USA and to Union Oil Company of California at the earliest feasible date after effluent limitations conforming to the EPA amended regulations set forth in Title 40, Code of Federal Regulations, Part 122.16 can be made available for timely review by interested parties. At least 30 days shall be provided for such review before the Board considers amendments.
6. This Board intends to amend the Permit reissued to Mountain View Sanitary District at the earliest feasible date after Permit conditions reflecting appropriate amendments to specifications for District's marsh studies can be made available for timely review by interested parties. At least 30 days shall be provided for such review before the Board considers amendments.
7. This Order shall serve to reissue National Pollutant Discharge Elimination System permits described above pursuant to Section 402 of the Federal Water Pollution Control Act, or amendments thereto, and shall take effect at the end of ten days from the date of hearing provided the Regional Administrator, has no objections.
8. This Order expires on 31 March 1980.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on **October 16, 1979.**

Attachments:

Orders 78-18, 77-148, 74-152,
74-134, 77-96, 73-94

FRED H. DIERKER
Executive Officer